

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FRANK PATE, ET AL.	§	
	§	
V.	§	
	§	
MICHAEL ZIENTZ, ET AL.	§	CASE NO. 4:09cv643 (LEAD)
_____	§	4:10cv201
	§	(Judge Schneider/Judge Mazzant)
FRANK and LEILA PATE	§	
	§	
v.	§	
	§	
AMERIQUEST MORTGAGE COMPANY,	§	
CHASE HOME FINANCE	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 9, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that American Home Mortgage Servicing, Inc. and Deutsche Bank National Trust Company's Motion for Summary Judgment and Request for Hearing (Dkt. #48) should be granted.

The Court, having made a *de novo* review of the objections raised by Plaintiffs, as well as Defendants' response to Plaintiffs' objections, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that American Home Mortgage Servicing, Inc. and Deutsche Bank National Trust Company's Motion for Summary Judgment (Dkt. #48) is GRANTED and Plaintiffs' claims are DISMISSED with prejudice and Plaintiffs take nothing on their claims.

It is SO ORDERED.

SIGNED this 25th day of April, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE